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Security Council

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The Security Council,

Recalling its previous resolutions on the situation in Somalia, as well as other relevant Presidential Statements on the situation in Somalia, in particular resolutions 733 (1992), 1425 (2002), 1772 (2007), 2036 (2012), and 2073 (2012),

Reiterating its full support to the Secretary-General and his Special Representative, and for their work with the African Union (AU), including the Chairperson of the AU Commission and her Special Representative, as well as other international and regional partners,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, *recognizing* the significant progress that has been made in Somalia over the past year, and *reiterating* its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Commending the contribution of the African Union Mission to Somalia (AMISOM) to lasting peace and stability in Somalia, *noting* its critical role in improving the security situation in Mogadishu (particularly in the military and policing roles) and other areas of south-central Somalia, including Kismayo, *expressing* its appreciation for the continued commitment of troops, police and equipment to AMISOM by the Governments of Burundi, Djibouti, Kenya, Nigeria, Sierra Leone and Uganda, and *recognizing* the significant sacrifices made by AMISOM forces,

Calling on the Federal Government of Somalia, with the support of AMISOM and international partners, to consolidate security and establish the rule of law in areas secured by AMISOM and the Security Forces of the Federal Government of Somalia, *underlining* the importance of building sustainable, legitimate and representative local governance and security structures in both Mogadishu and areas recovered from Al-Shabaab control, *encouraging* all relevant authorities to uphold high standards in resource management, and *reiterating* the need for rapid and increased United Nations support to the Federal Government of Somalia in these areas,

Underlining the importance of capacity-building of the Security Forces of the Federal Government of Somalia and in this regard, *reaffirming* the importance of the re-establishment, training, equipping and retention of Somali security forces, which is vital for the long-term stability and security of Somalia, *expressing* support for

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the ongoing European Union Training Mission and other capacity-building programmes, and *emphasizing* the importance of increased coordinated, timely and sustained support from the international community,

Reiterating its strong condemnation of all attacks on Somali institutions, AMISOM, United Nations personnel and facilities, journalists, and the civilian population by armed opposition groups, and foreign fighters, particularly Al-Shabaab, *stressing* that such groups, including foreign fighters engaged in destabilizing Somalia, constitute a continuing terrorist threat to Somalia, the region and the international community, *stressing* that there should be no place for terrorism or violent extremism in Somalia, and *reiterating* its call to all opposition groups to lay down their arms,

Expressing concern at the ongoing humanitarian crisis in Somalia and its impact on the people of Somalia, *commending* the efforts of the United Nations humanitarian agencies and other humanitarian actors to deliver life-saving assistance to vulnerable populations, *condemning* any misuse or obstruction of humanitarian assistance, *underlining* the importance of the full, safe, independent, timely and unimpeded access of all humanitarian actors to all those in need of assistance, and *underlining further* the importance of proper accounting in international humanitarian support,

Recalling its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women, peace and security, its resolution 1738 (2006) on the protection of journalists in armed conflicts, and its resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict, and *taking note* of the report of the Secretary-General on Children and Armed Conflict, and its conclusions, as endorsed by the Security Council Working Group on Children and Armed Conflict,

Welcoming the Strategic Reviews of both the United Nations and the African Union on their presence and engagement in Somalia, and the decisions taken by both organizations to enhance collaboration on the basis of comparative advantage and a clear division of labour, and *underlining* the importance of both organizations improving their coordination with one another, as well as with the Federal Government of Somalia, other regional organizations, and Member States,

Welcoming the Federal Government of Somalia's development of a new national security strategy, *calling on* the Federal Government of Somalia to accelerate its implementation in view of the remaining threat posed by Al-Shabaab and other destabilizing actors, *underlining* the importance of further defining the composition of Somalia's national security forces, identifying capability gaps in order to guide AMISOM and donors' security sector assistance priorities and signalling areas of cooperation with the international donor community, and *noting* the international community's intention to support the Federal Government of Somalia in security sector reform,

Recognizing that the Federal Government of Somalia has a responsibility to protect its citizens and build its own national security forces, *noting* that these forces should be inclusive and representative of Somalia and act in full compliance with their obligations under international humanitarian law and human rights law,

and *reaffirming* the intent of international partners to support the Federal Government of Somalia in achieving this,

Recognizing that a more stable Somalia is of vital importance to ensuring regional security,

Welcoming the Federal Government of Somalia's commitment to peace, stability and reconciliation across Somalia, including at the regional level,

Welcoming the Federal Government of Somalia's commitment to improving human rights in Somalia, *expressing* its concern at the reports of violations of human rights, including extrajudicial killings, violence against women, children and journalists, arbitrary detention and pervasive sexual violence in camps for internally displaced persons, and *underscoring* the need to end impunity, uphold human rights and to hold accountable those who commit such crimes,

Expressing concern at reports of continuous violations of the Somali and United Nations ban on charcoal exports, *welcoming* the President of Somalia's task force on this issue, and *recognizing* the need to assess urgently, and provide recommendations on, resolving the charcoal issue,

Underlining its full support for the Somalia and Eritrea Monitoring Group (SEMG), and *recalling* the importance of the SEMG being given full support in carrying out its mandate by all Member States and all appropriate United Nations bodies supporting the Group,

Determining that the situation in Somalia continues to constitute a threat to international peace and security,

Acting under Chapter VII of the charter of the United Nations,

AMISOM

1. *Decides* to authorize the Member States of the African Union (AU) to maintain the deployment of AMISOM until 28 February 2014, which shall be authorised to take all necessary measures, in full compliance with its obligations under international humanitarian law and human rights law, and in full respect of the sovereignty, territorial integrity, political independence and unity of Somalia, to carry out the following tasks:

(a) To maintain a presence in the four sectors set out in the AMISOM Strategic Concept of 5 January 2012, and in those sectors, in coordination with the Security Forces of the Federal Government of Somalia, reduce the threat posed by Al-Shabaab and other armed opposition groups, including receiving, on a transitory basis, defectors, as appropriate, and in coordination with the United Nations, in order to establish conditions for effective and legitimate governance across Somalia;

(b) To support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the peace and reconciliation process in Somalia;

(c) To provide, as appropriate, protection to the Federal Government of Somalia to help them carry out their functions of government, and security for key infrastructure;

(d) To assist, within its capabilities, and in coordination with other parties, with implementation of the Somali national security plans, through training and mentoring of the Security Forces of the Federal Government of Somalia, including through joint operations;

(e) To contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance;

(f) To assist, within its existing civilian capability, the Federal Government of Somalia, in collaboration with the United Nations, to extend state authority in areas recovered from Al-Shabaab;

(g) To protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel, as well as of United Nations personnel carrying out functions mandated by the Security Council;

2. *Reiterates* its request in paragraph 9 of resolution 2036 (2012) for the establishment without any further delay of a guard force of an appropriate size and within AMISOM's mandated troop levels to provide security, escort and protection services to personnel from the international community, including the United Nations, and *requests* the AU to provide details in its next report to the Security Council on progress towards, and the timetable for, its establishment;

3. *Requests* the Secretary-General to continue to provide technical, management and expert advice to the AU in the planning and deployment of AMISOM, through the United Nations Office to the African Union, including on the implementation of the AMISOM Strategic Concept and the AMISOM Concept of Operations;

4. *Requests* the Secretary-General to continue to provide a logistical support package for AMISOM, referred to in paragraphs 10, 11 and 12 of resolution 2010 (2011), paragraphs 4 and 6 of resolution 2036 (2012) and paragraph 2 of resolution 2073 (2012) for a maximum of 17,731 uniformed personnel until 28 February 2014, ensuring the accountability and transparency of expenditure of the United Nations funds as set out in paragraph 4 of resolution 1910 (2010), and consistent with the requirements of the Secretary-General's Human Rights Due Diligence Policy;

5. *Reiterates* paragraph 6 of resolution 2036 (2012) and paragraph 2 of resolution 2073 (2012) regarding logistical support to AMISOM;

6. *Recalls* its request in paragraph 5 of resolution 2036 related to transparency and proper accountability for resources provided to AMISOM, in particular the number of troops, civilian personnel and equipment, and *requests* UNSOA, in cooperation with the AU, to verify the number of troops, civilian personnel and equipment deployed as part of AMISOM;

7. *Calls upon* new and existing donors to support AMISOM through the provision of additional funding for troop stipends, equipment, technical assistance, and uncaveated funding for AMISOM to the United Nations Trust Fund for AMISOM, and *calls upon* the AU to consider providing funding to AMISOM through its own assessed costs as it has recently done for the African-led International Support Mission in Mali;

8. *Requests* the AU to keep the Security Council regularly informed on the implementation of AMISOM's mandate through the provision of written reports to the Secretary-General every 90 days after the adoption of this resolution;

9. *Welcomes* the progress made by AMISOM in reducing civilian casualties during its operations, and *urges* AMISOM to enhance its efforts to prevent civilian casualties;

10. *Encourages* AMISOM to develop further an effective approach to the protection of civilians, as requested by the AU Peace and Security Council;

11. *Recalls* AMISOM's commitment to establish a Civilian Casualty Tracking, Analysis and Response Cell (CCTARC), *underlines* the importance of its establishment, *requests* AMISOM to report on the progress made in establishing the CCTARC and *calls on* international donors and partners to further support the establishment of a CCTARC;

12. *Requests* AMISOM to ensure that any detainees in their custody are treated in strict compliance with AMISOM's obligations under international humanitarian law and human rights law;

13. *Requests* AMISOM to strengthen child and women's protection in its activities and operations, including through the deployment of a child protection adviser and a women's protection adviser, within its existing civilian component to mainstream child and women's protection within AMISOM;

14. *Requests* AMISOM to take adequate measures to prevent sexual violence, and sexual exploitation and abuse, by applying policies consistent with the United Nations zero-tolerance policy on sexual exploitation and abuse in the context of peacekeeping;

15. *Requests* the AU to establish a system to address systematically allegations of misconduct, which includes clear mechanisms for receiving and tracking allegations, as well as for following up with troop-contributing countries on the results of investigations and disciplinary actions taken as applicable, and *requests* the United Nations to advise and provide guidance to the AU in this endeavour;

16. *Welcomes* the development of the Government of Somalia's National Programme for Handling Disengaged Combatants in Somalia, notes the need for appropriate human rights safeguards, and *encourages* Member States to support the plan through the provision of funds;

United Nations Strategic Review

17. *Welcomes* the review by the Secretary-General of the United Nations' presence and engagement in Somalia;

18. *Agrees* with the Secretary-General that UNPOS has fulfilled its mandate and should now be dissolved, and *further agrees* that UNPOS should be replaced by a new expanded Special Political Mission as soon as possible;

19. *Agrees* with the Secretary-General that the conditions in Somalia are not yet appropriate for the deployment of a United Nations Peacekeeping Operation, and *requests* that he keeps this under review, including through the setting of benchmarks for when it might be appropriate to deploy a United Nations

peacekeeping operation and *looks forward* to receiving this information as part of his regular reporting to the Security Council;

20. *Decides* that UNSOA shall be integrated within the framework of the new United Nations Mission, with the head of UNSOA continuing to report to the Department of Field Support on the delivery of the AMISOM logistical support package, and reporting to the Special Representative of the Secretary-General on logistical support to the new United Nations Mission and on policy or political questions arising from the functions of UNSOA relevant to the mandate of the new United Nations Mission;

21. *Requests* that by 1st January 2014 the post of Deputy Special Representative of the Secretary-General/Resident and Humanitarian Coordinator (DSRSG/RC/HC) will have been established and structurally integrated into the new United Nations Mission, which will operate alongside AMISOM, *requests* in the meantime that the Secretary-General ensure that, with immediate effect, all appropriate activities of the United Nations Country Team are fully coordinated with the new United Nations Mission, including through joint teams and joint strategies, while ensuring the humanity, impartiality, neutrality, and independence of humanitarian assistance, and *further requests* the Secretary-General to keep the Security Council regularly informed about the steps he is taking to integrate the work of the United Nations Country Team and the new United Nations Mission, through the provision of written reports every 90 days;

22. *Requests* the Secretary-General to conduct a Technical Assessment Mission on the implementation of the new United Nations mission, in full cooperation with the Federal Government of Somalia, AU, regional bodies and Member States, on the basis of the guiding principles as set out below:

(a) Empowering Somali ownership of the statebuilding and peacebuilding agenda;

(b) Providing the traditional United Nations good offices function and support to the government, including on reconciliation, elections and the effective implementation of a federal system;

(c) Providing strategic and policy advice on security, stabilisation, peacebuilding and state-building, including through the mission having a substantially strengthened security and rule of law capacity;

(d) Monitoring, reporting and helping build capacity on human rights, including on sexual, gender-based and conflict-related violence and on violations against children — supporting the implementation of the two action plans on children and armed conflict signed by the Federal Government of Somalia;

(e) Supporting the Federal Government of Somalia's efforts to manage and specifically coordinate international assistance, particularly on security sector reform;

(f) Providing integrated policy advice and support to the Federal Government of Somalia, in cooperation with the United Nations Country Team, and in accordance with the arrangements set out in paragraph 21;

23. *Underlines* that the new mission should be headquartered in Mogadishu and should deploy further across Somalia as security conditions allow, and *requests* advice from the Secretary-General on how the Mission will be protected;

24. *Requests* the Secretary-General to report to the Council no later than 19 April 2013 on the results of his Technical Assessment Mission, including on the United Nations division of labour with the AU, after which the Council will formally mandate a new Special Political Mission, and *underlines* that the new United Nations Mission should deploy by 3 June 2013;

Human Rights and Protection of Civilians

25. *Recalls* its previous resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006), and 1894 (2009), as well as all its resolutions on Women, Peace and Security, Children and Armed Conflict and peacekeeping, and all relevant statements of its President;

26. *Condemns* all attacks against civilians in Somalia, *calls for* the immediate cessation of all acts of violence, including sexual and gender based violence, or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, *stresses* the responsibility of all parties in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate attacks or excessive use of force, and *underscores* the need to end impunity, uphold human rights and hold those who commit crimes accountable;

27. *Welcomes* the commitment made by the President of Somalia to hold the Somali National Security Forces accountable for allegations of sexual violence, *urges* the Federal Government of Somalia, in cooperation with the United Nations, to initiate its Task Force on Sexual Violence, and to develop and implement a comprehensive strategy to prevent and respond to sexual violence, and *stresses* the need for the Federal Government of Somalia to take all appropriate measures to bring to justice any perpetrator of such acts;

28. *Expresses* concern at the security situation in camps for internally displaced persons (IDPs) and settlements, *condemns* all human rights violations and abuses, including sexual violence, committed against IDPs by all parties, including armed groups and militias, and *calls for* the strengthening of protection of IDP camps;

29. *Recalls* the relevant prohibition of the forced displacement of civilians in armed conflict, and *stresses* the importance of fully complying with international humanitarian law and other applicable international law in this context;

30. *Recalls* the obligation of the Federal Government of Somalia with respect to the protection of journalists, the prevention of violence against them, and the fight against impunity for perpetrators of such acts;

31. *Reaffirms* the important role of women in the prevention and resolution of conflicts and in peacebuilding, *stresses* the importance of their participation in all efforts for the maintenance and promotion of peace and security, and *urges* the Federal Government of Somalia to continue to promote increased representation of women at all decision-making levels in Somali institutions;

32. *Strongly condemns* reports of grave violations against children, *urges* the Government of Somalia, as a matter of priority, to implement the action plan signed on 6 August 2012 to eliminate the killing and maiming of children, and the 3 July 2012 action plan to end the recruitment and use of child soldiers, and *stresses* the need for the Federal Government of Somalia to take appropriate measures to bring to justice any perpetrator of such acts;

Arms Embargo

33. *Decides* that for a period of twelve months from the date of this resolution the measures imposed in paragraph 5 of resolution 733 (1992), and further elaborated by paragraphs 1 and 2 of resolution 1425 (2002), shall not apply to deliveries of weapons or military equipment or the provision of advice, assistance or training, intended solely for the development of the Security Forces of the Federal Government of Somalia, and to provide security for the Somali people, except in relation to deliveries of the items set out in the annex to this resolution;

34. *Decides* that weapons or military equipment sold or supplied solely for the development of the Security Forces of the Federal Government of Somalia may not be resold to, transferred to, or made available for use by, any individual or entity not in the service of the Security Forces of the Federal Government of Somalia;

35. *Calls upon* States to exercise vigilance over the direct or indirect supply, sale or transfer to Somalia of items not subject to the measures imposed in paragraph 5 of resolution 733 (1992) and further elaborated by paragraphs 1 and 2 of resolution 1425 (2002),

36. *Decides* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated by paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to deliveries of weapons or military equipment or the provision of assistance intended solely for the support of, or use by, AMISOM's strategic partners, operating solely under the African Union Strategic Concept of 5 January 2012, and in cooperation and coordination with AMISOM;

37. *Decides* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to supplies of weapons or military equipment or the provision of assistance, intended solely for the support of or use by United Nations personnel, including the United Nations Political Office for Somalia or its successor mission;

38. *Decides* that the Federal Government of Somalia shall notify the Committee established pursuant to resolutions 751 (1992) and 1907 (2009), for its information, at least five days in advance, of any deliveries of weapons or military equipment or the provision of assistance intended solely for the Security Forces of the Federal Government of Somalia, as permitted in paragraph 33 of this resolution, providing details of such deliveries or assistance and the specific place of delivery in Somalia, *further decides* that the Member State delivering assistance may, in the alternative, make this notification after informing the Federal Government of Somalia that it intends to do so, and *stresses* the importance that such notifications contain all relevant information, including, where applicable, the type and quantity of weapons, ammunitions, military equipment and materiel to be delivered, and the proposed date of delivery;

39. *Requests* the Federal Government of Somalia to report to the Security Council no later than one month after the adoption of this resolution, and every six months thereafter, on:

(a) The structure of the Security Forces of the Federal Government of Somalia;

(b) The infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Security Forces of the Federal Government of Somalia;

(c) The procedures and codes of conduct in place for the registration, distribution, use and storage of weapons by the Security Forces of the Federal Government of Somalia, and on training needs in this regard;

40. *Calls upon* States and regional organizations that have the capacity to do so, to provide assistance to the Federal Government of Somalia to achieve improvements in the areas set out in (b) and (c) of paragraph 39 of this resolution, in full coordination with the Federal Government of Somalia;

41. *Requests* the SEMG to include, in its reporting to the Committee, both an assessment of the progress made in the areas set out in (b) and (c) of paragraph 39, and an assessment of any misappropriation or sale to other groups including militias, in order to assist the Council in any review of the appropriateness of the provisions outlined in paragraph 33 of this resolution, which are for the purpose of building the capacity of the Security Forces of the Federal Government of Somalia, and providing security for the people of Somalia, and *further requests* the Monitoring Group to report on its own ability to monitor delivery of weapons, military equipment and assistance to Somalia;

42. *Decides* to review the effects of paragraphs 33 to 41 of this resolution within twelve months of the date of this resolution;

43. *Decides* that the measures in paragraphs 1, 3, and 7 of resolution 1844 (2008) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee:

(a) As engaging in, or providing support for, acts that threaten the peace, security or stability of Somalia, including acts that threaten the peace and reconciliation process in Somalia, or threaten the Federal Government of Somalia or AMISOM by force;

(b) As having acted in violation of the arms embargo imposed by paragraph 5 of resolution 733 (1992), further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002), and as amended by paragraphs 33 to 38 of this resolution or as having acted in violation of the arms resale and transfer restrictions set out in paragraph 34 of this resolution;

(c) As obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia;

(d) As being political or military leaders recruiting or using children in armed conflicts in Somalia in violation of applicable international law;

(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians including children and women in

situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement;

44. *Underlines* its support for the President of Somalia's task force charged with providing solutions on the issue of charcoal in Somalia, *demands* that all appropriate actors cooperate in full with the task force, and *looks forward* to receiving recommendations and options from the Federal Government of Somalia in this regard;

45. *Decides* to remain actively seized of the matter.

Annex

1. Surface to air missiles, including Man-Portable Air-Defence Systems (MANPADS);

2. Guns, howitzers, and cannons with a calibre greater than 12.7 mm, and ammunition and components specially designed for these. (This does not include shoulder fired anti-tank rocket launchers such as RPGs or LAWs, rifle grenades, or grenade launchers.);

3. Mortars with a calibre greater than 82 mm;

4. Anti-tank guided weapons, including Anti-tank Guided Missiles (ATGMs) and ammunition and components specially designed for these items;

5. Charges and devices intended for military use containing energetic materials; mines and related materiel;

6. Weapon sights with a night vision capability.